

consequence at this time. These are issues that we would have begun to address as we moved forward.

You have been a moving target throughout these discussions and whether your intentions were honorable or not, you have not delivered on this very simple promise, which at the very least, makes you LOOK bad.

On that basis, I have regretfully been instructed to suspend my efforts to resolve this situation with you. To say that I am disappointed is an understatement. I am disappointed in your tactics. I am disappointed in the several hours/days that I have wasted trying to help. But more importantly, I am disappointed in having to watch two friends take the inevitable next steps which are so mutually destructive. I will tell you (having heard both sides of the equation), I assure you with all of the confidence in my soul, that neither one of you will persevere and everything you have worked for (past, present and future) will be irreparably damaged.

Regretfully,

Tommy Constantine

----- Original Message ----- From: <[kj@diamantelife.com](mailto:kj@diamantelife.com)>  
To: "Tommy Constantine" <[tommy@eufora.com](mailto:tommy@eufora.com)>  
Sent: Wednesday, July 11, 2007 12:21 AM  
Subject: Fw: \*\*\*SPAM\*\*\* Fw: Accepted (Final) Revisions to Proposed Settlement Terms

Hello Tommy...again I want to thank you for trying to help in this process...your patience with the two of us is really impressive...there are obviously a lot of things yet to be worked out, but I am willing to cooperate in any manner possible...the process to get this done will be a lot longer and more complicated than any of us think, so we should consider a meeting somewhere to discuss it...again, I am sorry we are at this point, and I will do anything I can to help get it resolved....thanks...Kenny

-----Original Message-----

From: Ken Jowdy

To: Ken Jowdy

Sent: Jul 10, 2007 11:29 PM

Subject: \*\*\*SPAM\*\*\* Fw: Accepted (Final) Revisions to Proposed Settlement Terms

Upon receipt -- Jowdy forwarded the message to another email account of his.

-----Original Message-----

From: Tommy Constantine

To: Ken Jowdy

Sent: Jul 9, 2007 3:49 PM

Subject: Accepted (Final) Revisions to Proposed Settlement Terms

July 9, 2007 -- Jowdy and Constantine reach final agreement to settle Jowdy loan and embezzlement frauds...

Ken Jowdy

Debt to Phil (Kenner) and his investors...in excess of \$8.5M...

Kenny:

Per our conversation, below please find the revised settlement terms that you and Phil have suggested.

Full settlement agreements exist in Constantine's possession -- created by Najam (for Jowdy) and one of Constantine's attorneys (paid for by Kenner)...

\* You would receive a total resolve of your debt to Phil and his investors which is estimated to be in excess of \$8.5M.

\* You would retain an equity stake in the Diamante (CSL) property of 15%.

\* You would be relieved of your personal guarantee requirement for the Lehman Diamante (CSL) property loans and the new guarantor would be subject to the approval Lehman (such approval shall not be unreasonably withheld).

\* You would be relieved of your Managing Member status.

\* You would be relieved of your Developer responsibilities.

\* You would (in good faith) facilitate a smooth transition for the new Managing Member(s) and Development Partner.

\* You would retain sole ownership of the Vegas House and would be responsible for any of the related debt. You would also be the beneficiary of any realized or unrealized equity.

\* You would relinquish any rights to purchase the Cabo House and any realized or unrealized equity.

\* You would relinquish ownership of Diamante Air and Phil would be responsible for any realized or unrealized financial losses, as well as all ongoing expenses.

\* You would receive a cash payment of \$1,000,000 at closing.

\* You would receive a second cash payment of \$500,000 t

This is 5% less than his original 20% deal with Kenner -- before he stole the equity thru a February 2006 closing ruse -- See Ex. 50

Begin forwarded message:

**From:** Tommy Constantine <[tommy@eufora.com](mailto:tommy@eufora.com)>  
**Date:** August 9, 2007 10:41:03 PM MDT  
**To:** "[kj@diamantelife.com](mailto:kj@diamantelife.com)" <[kj@diamantelife.com](mailto:kj@diamantelife.com)>  
**Subject:** Call me

(602) 363-5676

Begin forwarded message:

**From:** Tommy Constantine <[tommy@eufora.com](mailto:tommy@eufora.com)>  
**Date:** August 10, 2007 4:09:02 PM MDT  
**To:** "[kj@diamantelife.com](mailto:kj@diamantelife.com)" <[kj@diamantelife.com](mailto:kj@diamantelife.com)>  
**Subject:** Budgets

Kenny: